Amendment of Section 17.

3. (1) In the said Act, for the existing sub-section (2) of Section 17, the following shall be substituted, namely:-

"(2) The State Government shall, by notification reserve:-

(a) such number of office of Sabhapati and Up Sabhapati of Gram Panchayat in each district for the Scheduled Caste, Scheduled Tribes, the Most Backward Classes and the Other Backward Classes and the number of such offices shall bear as nearly as may be, the same proportion to the total number of offices in the district as their population in the district bears to the total population of the district.

(b) Not less than forty percent of the total number of offices of Sabhapati and Up Sabhapati of the Gram Panchayat of the district reserved under clause (a) shall be reserved for women:

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Gram Panchayats in such manner as the State Government may, by notification specify."

Amendment of Section 50.

4. (1) In the said Act, for the existing sub-sections (4) and (5) of Section 50, the following shall be substituted namely:-

"(4) The State Government shall by notification, reserve seats for the Scheduled Castes, the Scheduled Tribes, the Most Backward Classes and the Other Backward Classes in every Zilla Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the Panchayat as their population in the Panchayat area bears to the total population of that area and such seats shall be allotted by rotation to different constituencies in a Zilla Panchayat in such manner as the State Government may, by notification, specify.

(5) Not less than forty percent of the total number of seats reserved under sub-section (4) shall be reserved for women and such seats shall be allotted by rotation to different constituencies in a Zilla Panchayat in such manner as the State Government may, by notification, specify."

(2) Sub-section (6) shall be omitted.

Amendment of Section 54.

5.(1) In the said Act, for the existing sub-section (2) of Section 54, the following shall be substituted, namely:-

"(2) The State Government, shall by notification, reserve:-

(a) such number of offices of Adhyaksha and Up – Adhyaksha of Zilla Panchayats in the State for persons belonging to Scheduled Castes, the Scheduled Tribes, the Most Backward Classes and the Other Backward Classes and the number of such offices shall bear as nearly as may be the same proportion to the total number of offices in the State as the population bears to the total population of the State.

(b) not less than forty percent of the total number of offices of Adhyaksha and Up-Adhayasha in the state reserved under clause (a) shall be reserved for women:

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Zilla Panchayat in such manner as the State Government may, by notification, specify. "

(2) The existing sub-section (2) shall be renumbered as sub-section (3).

Amendment of Section 103.

6. In the said Act, for the existing sub-section (1) of Section 103 the following shall be substituted, namely:-

"(1) The superintendence, direction and control of elections to the Gram Panchayat and Zilla Panchayat and conduct of election of Sabhapati, Up- Sabbhapati and Sachiva of Gram Panchayat and Adhyaksha and Up- Adhyaksha of Zilla Panchayat shall be vested with the State Election Commission consisting of the State Election Commissioner appointed by the Governor:

Provided that the conduct of delimitation of Gram Panchayat and Zilla Panchayat and reservation of seats in Gram Panchayat and Zilla Panchayat, in such manner as may be prescribed, shall be vested with the State Election Commission:

Provided further that for the purpose of conduct of election of Sabhapati and Up-Sabhapati and Sachiva of Gram Panchayat and Adhyaksha and Up- Adhayaksha of Zilla Panchayat, the prescribed authority shall be the State Election Commissioner.

By Order.

R.K. PURKAYASTHA (SSJS)
LR-cum-Secretary
Law Department

File No. 16 (82)/ LD/P/2007

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok **Thursday 22nd April, 2010** **No. 172**

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 6/LD/P/2010 **Date: 21.4.2010**

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on the 30th day of March, 2010 is hereby published for general information:-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2010

ACT NO. 6 OF 2010

AN ACT

further to amend the Sikkim Panchayat Act, 1993.

Be it enacted by the Legislature of Sikkim in the Sixty-first Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2010.

(2) It shall come into force on the date of its publication in the Official Gazette.

Amendment of Section 29

2. In the Sikkim Panchayat Act, 1993 (herein referred to as the said Act), in Section 29, after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) Any member of Gram Panchayat being a member of any political party, if he ceases to the member of that political party shall cease to be the member of Gram Panchayat from the same day he ceases to be the member of that political party".

Amendment of Section 66

3. In the said Act, in section 66, after sub-section (4), the following sub-section shall be inserted, namey:-

"(5) Any member of Zilla Panchayat being a member of any political party, if he ceases to be the member of that political party shall cease to be the member of Zilla Panchayat from the same day he ceases to be the member of that political party."

R.K. PURKAYASTHA (SSJS)
LR-cum-Secretary
Law & Parliamentary Affairs Department

S.G.P.G. -172/Gazette/100 Cps./22.04.2010

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Sunday 18th December, 2011 No.652

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

NOTIFICATION

No 11/LD/P/11. Dated: 17/12/2011

The following Act passed by the Sikkim Legislative Assembly and having received the assent of Governor on 3rd day of September, 2011 is hereby published for general information:-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2011
ACT NO. 11 OF 2011
AN
ACT

further to amend the Sikkim Panchayat Act, 1993

Be it enacted by the Legislature of Sikkim in the Sixty-second Year of the Republic of India as follows:-

Short title and commencement 1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2011.

(2) It shall come into force on the date of its publication in the Official Gazette.

Amendment of Section 13 2. In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the said Act) for the existing sub- section (7) of section 13, the following shall be substituted, namely:-

"(7) Not less than half of the total number of seats (including the number of seats reserved for women belonging to the Scheduled Caste, Scheduled Tribes (Bhutia/Lepcha and Limboo/Tamang), Most Backward Classes and Other Backward Classes) to be filled by direct election in every Gram Panchayat shall be reserved for women and such seat shall be allotted by rotation to different wards in a Gram Panchayat in such manner, as the State Government may, by notification, specify."

Amendment of Section 17. 3. In the said Act, for the existing clause (b) of sub- section (2) of Section 17, the following shall be substituted, namely:-

"(b) Not less than half of the total number of offices of Sabhapati and Up-Sabhapati of the Gram Panchayat of the district reserved under clause (a) shall be reserved for women:

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Gram Panchayats in such manner as the State Government may, by notification specify."

Amendment of Section 50.

4. In the said Act, for the existing sub-section (5) of section 50, the following shall be substituted, namely:-

"(5) Not less than half of the total number of seats reserved under sub- section (4) shall be reserved for women and such seats shall be allotted by rotation to different constituencies in a Zilla Panchayat in such manner as the State Government may, by notification specify."

Amendment of Section 54

5. In the said Act, for the existing clause (b) of sub section (2) of section 54, the following shall be substituted, namely:-

"(b) Not less than half of the total number of offices of Adhakshya and Up-Adhakshya in the State reserved under clause (a) shall be reserved for women:

Provided that the offices reserved under this sub-section shall be allotted by rotation to different Zilla Panchayat in such manner as the State Government may, by notification specify."

R.K. Purkayastha, SSJS
L.R-cum-Secretary,
Law Department.
File No. 16 (82) LD/P/11

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Wednesday 14th June, 2017 No. 221

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 10/LD/17 Dated: 5th June, 2017

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received assent of the Governor on 27th day of May, 2017 is hereby published for general information :-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2017

(ACT NO. 10 OF 2017)

AN

ACT

further to amend the Sikkim Panchayat Act, 1993.

BE it enacted by the Legislature of Sikkim in the Sixty-eighth Year of the Republic of India as follows:-

Short title and commencement

1. (1). This Act may be called the Sikkim Panchayat (Amendment) Act, 2017.

(2). It shall come into force on the date of its publication in the Official Gazette.

Amendment of section 11

2. In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the "Principal Act"), in section 11, for clauses (a), (b) & (c) and the entries relating thereto, the following clauses shall be substituted namely:-"

(a) to identify and approve the plans, programmes and projects for social and economic development in order to give priority from out of the plans, programmes and projects approved by the Ward Sabha before such plans, programmes and projects are taken up for implementation by the Village Panchayat;

(b) to lay down the principles for identification of the schemes and their priority for economic development of the village;

(c) to identify or selection of persons as beneficiaries under the poverty alleviation and other programmes, in order of priority, from amongst the local persons by the various Ward Sabha falling under its jurisdiction;

(d) to ensure proper utilization and disbursement of funds or assets to the beneficiaries;

(e) to ascertain and certify the proper utilization of funds for plans, programmes and projects by the Gram Panchayats referred to in clause (a);

(f) to exercise social audit in respect of plots allotted to the weaker sections of the society;

(g) to mobilize voluntary labour and contribution in kind or cash or both for the community welfare programmes;

(h) to promote literacy, education, health and nutrition;

(i) to promote unity and harmony among all sections of the society in such area;

(j) to seek clarifications from the Chairperson and members of the Gram Panchayat about any particular activity, scheme, income and expenditure;

(k) to lease out any minor water body within a specified area for the purpose of fishing and other commercial purposes;

(l) to regulate the use of water of rivers, streams, minor water bodies for irrigation purposes;

(m) to exercise the right of management over minor forest produce;

(n) to exercise control over local plans and resources for such plans including tribal sub-plan;

(o) to manage Village Markets;

(p) to invoke the right to be consulted before making the acquisition of land in the area for development projects and before re-settling or rehabilitating persons affected by such projects in the area;

(q) to consider and approve the recommendations made by each Ward Sabha in the area of such Gram Panchayat;

(r) to consider the Annual Budget of the Gram Panchayat, and make recommendations thereon;

(s) to consider the report of audit and accounts of the Gram Panchayat;

(t) to ensure active participation of people in implementation, maintenance and equitable distribution of benefits of development schemes in the Village;

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(u) to promote general awareness amongst the people;

(v) to exercise control through the Gram Panchayat over institutions and functionaries in social sectors transferred to or appointed by that Panchayat;

(w) to manage natural resources including land, water and forests within the area of the Village in accordance with provisions of the Constitution and other relevant laws for the time being in force;

(x) to supervise sanitation, conservation and prevention and abetment of nuisance;

(y) to supervise the construction, repair and maintenance of public wells, ponds and tanks and supply of water for domestic animals;

(z) to supervise the construction and maintenance of sources of water for bathing and washing and supply of water for domestic animals;

(aa) to supervise the construction and maintenance of Village roads, culverts, bridges, jhoras and other works and building of public utility;

(bb) to supervise the construction, maintenance and clearing of public street, latrines, drains, tanks, wells and other public places;

(cc) filling in of disused wells, unsanitary ponds, pools ditches and pits and conversion of step wells into sanitary wells;

(dd) to supervise the lighting of Village streets and other public places;

(ee) to assist in removal of hindrances and projections to public streets and places as well as the spaces which are not private properties or which are open for public use whether such places are vested in the Panchayat or belong to the State Government;

(ff) to supervise recreations, games-shows, shops, eating houses and vendors of beverage, sweets, fruits, milk and similar other articles;

(gg) to supervise the construction of houses, cess-pits urinals, drains and flush latrines;

(hh) to manage public land, extension and development of Village site;

(ii) to dispose off corpses, carcasses (including those unclaimed) and other obnoxious articles in such a way that the same may not be injurious to public health;

(jj) to earmark places for dumping refuse;

(kk) to regulate sale and preservation of meat;

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(ll) to maintain Gram Sabha-properties;

(mm) to establish and manage cattle pounds, maintenance of records regarding cattle, maintaining grazing grounds and other lands lying within control of the Gram Sabha;

(nn) to take care of ancient and historical monuments other than those which have been declared to be of national importance;

(oo) to maintain the records of births, deaths and marriages;

(pp) to assist in census or other surveys done by the Centre, State or other organizations constituted lawfully;

(qq) to provide assistance in control of contagious diseases, vaccination work etc.;

(rr) to help the differently abled and destitute;

(ss) to strengthen youth welfare, family welfare and sports;

(tt) to encourage afforestation and conservation of village forestry;

(uu) to abolish social evils like dowry, child marriage & drug abuse etc.;

(vv) to prepare schemes for basic amenities and making arrangements thereof;

(ww) to execute work assigned by District Panchayat;

(xx) to execute and supervise development schemes and construction work as per specified schemes within the Gram Sabha area;

(yy) to control and monitor beneficiary oriented schemes and programmes;

(zz) to exercise control over institutions and functionaries in all social sectors transferred to or appointed by the Gram Sabha;

(aaa) to disseminate information regarding development land welfare activities;

(bbb) to participate in and canvassing of programmes of Health and Literacy and such other time bound developmental programmes;

(ccc) to collect essential socio-economic data;

(ddd) to provide feedback on the performance of development programmes;

(eee) to resort to moral sanction to pay taxes, repayment of loans, promote environmental cleanliness and to maintain social harmony;

(fff) to mobilize local resources to augment resources of the Gram Panchayat;

(ggg) to supervise development activities as volunteer teams;

(19)

(hhh) to make arrangements for reporting urgently incidence of epidemics, natural calamities, etc.

(iii) to exercise and discharge of powers and functions assigned by the State Government under this Act or any other law in force in the State for the time being."

Insertion of new section 11A

3. In the Principal Act, after section 11, the following section shall be inserted namely:-

"11 A Function of Ward Sabha": The function of the Ward Sabha shall be:-

(a) to render assistance to the Gram Panchayat in collection and compilation of details required for formulation of development plans;

(b) to generate proposals and fixing priority of development schemes and programmes to be implemented in the area of the Ward Sabha;

(c) to identify weaker section of the beneficiaries in order of priority, for the implementation of development schemes pertaining to the area of Ward Sabha;

(d) to render assistance in effective implementation of development scheme;

(e) to suggest the location of public utilities, amenities and services like street lights, community water taps, public wells, public sanitation units, irrigation facilities etc.;

(f) to formulate schemes and imparting awareness on matters of public interest like cleanliness, preservation of environment, prevention of pollution, guarding against social evils etc;

(g) to promote harmony and unity among various groups of people;

(h) to verify the eligibility of persons getting various kinds of welfare assistance from State Government such as pensions and subsidies;

(i) to obtain information on the detailed estimates of works proposed to be taken in the area of the Ward Sabha; exercise social audit in all works implemented in the area of the Ward Sabha and awarding utilization and completion certificate for such works;

(j) to obtain information from the officials concerned as to the services they will render and the works they propose to do in the area of the Ward Sabha;

(k) to assist the activities of parent-teacher associations in the area;

(l) to promote literacy, education, health, child care and nutrition;

(m) to monitor and render assistance to the beneficiary communities engaged in the developmental activities within the area of the Gram Panchayat;

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(n) to ascertain the rationale behind every decision taken by the Gram Panchayat regarding the area of the Ward Sabha;

(o) to ascertain the follow up action taken on the decisions of the Ward Sabha and the detailed reasons for not implementing any of the decisions;

(p) to co-operate with the employees of the Gram Panchayats in the sanitation processes and rendering voluntary service for the removal of garbage;

(q) to find out the deficiencies in the arrangements for water supply, street lighting etc. within the area of the Ward Sabha and to suggest remedial measures;

(r) to assist the public health activities especially the prevention of diseases and family welfare, within the area of the Ward Sabha;

(s) to perform such other functions as may be prescribed from time to time".

Substitution of reference to certain expression by certain other expression

4. Throughout the Principal Act, unless otherwise expressly provided, for the word "Most Backward Classes and the Other Backward Classes", wherever this occur, the word "Other Backward Classes (Centre) and the Other Backward Classes (State)" shall be substituted.

Amendment of section 13

5. In the Principal Act, in section 13 after sub-section 7, the following proviso shall be inserted, namely:-

"Provided that the Office of the District Collector of respective District will issue Other Backward Classes (Centre) and Other Backward Classes (State) certificate for the purpose above only."

Amendment of section 16

6. In the Principal Act, in section 16 :-

(1) clause (g) shall be omitted;

(2) for clause (i), the following clause shall be substituted namely:- "(i) if he has been convicted by the Court of an offence involving moral turpitude or has been sentenced to imprisonment for a term exceeding six months for any other offence".

Insertion of new section 16 A

7. In the Principal Act, after section 16, the following new section shall be inserted namely:-"

16A. Self-Disclosure of Assets:

(1) A member of the Panchayat shall, within 3 (three) months from the date of assuming office, file a statement of assets and liabilities of himself and of the members of his family, in the form prescribed before the competent authority authorized in this behalf by the State Government by notification in the Official Gazette:

Provided that, a person who is a member of the Panchayat at the commencement of this Act shall submit such a statement to the Competent authority before the date specified by the State Government to this effect.

(21)

(2) Where a member of the Panchayat who filed a statement under sub-section (1) acquires any asset in his name or that of other members of his family or disposes or creates any liability thereafter on the assets specified in the statement, he shall file a statement in this regard to the Competent Authority within 3 (three) months from the date of such acquisition or disposal or creation of liability, as the case may be.

(3) Any member of the Panchayat who makes a statement under sub-section (1) or sub-section (2) which is false and which he knows or believes to be false or does not believe to be true shall be liable to be proceeded against in accordance with law, for filing such false statement.

(4) Where a member of the Panchayat fails to file such a statement to the Competent Authority within the date specified under sub-section (1) and sub-section (2), action shall be taken to disqualify him from continuing as member of the Panchayat under Section 16.

Explanation 1. – For the purpose of this section "family" of a member of the Panchayat means spouse of that member and his parents, unmarried sisters and children who are dependent on him.

Explanation 2. – For the purpose of this section "asset" means all immovable properties and movable properties worth not less than Rupees ten thousand".

Amendment of section 23

8. In the Principal Act, in section 23 :-

(i) for the existing marginal heading, the following shall be substituted namely:- "Powers, Functions and duties of Sabhapati and Up-Sabhapati".

(ii) for section 23 and the entries relating thereto, the following shall be substituted, namely :-

"23. (1) Save as otherwise expressly provided by or under this Act, the executive power for the purpose of carrying out the provisions of this Act and the resolution passed by a Panchayat shall vest in the Sabhapati thereof who shall be directly responsible for the due fulfillment of the duties imposed upon the Panchayat by or under this Act.

(2) When the office of the Sabhapati is vacant, the Up-Sabhapati shall exercise the functions of the Chairperson until a new Chairperson assumes office.

(3) If the Sabhapati of the Panchayat is continuously absent from territorial limit of the Panchayat for more than fifteen days or is incapacitated for any reason, the functions of Sabhapati, during such absence or incapacity shall, except in such circumstances as may be prescribed, vest on the Up-Sabhapati of that Panchayat.

(4) Where the offices of both the Sabhapati and Up-Sabhapati are vacant, the Chairperson of the Standing Committee in the order mentioned in sub-section (1) of Section 134, shall perform the functions of the Sabhapati of the Panchayat till a new Sabhapati or Up-Sabhapati of the Panchayat assumes office and where there is no Sabhapati or Up-Sabhapati of the Panchayat or Chairperson of Standing Committee to hold the office of the Chairperson, the eldest among the elected members shall perform the functions of the Sabhapati of the Panchayat until the Sabhapati or Up-Sabhapati of the Panchayat or Chairperson of any Standing Committee assumes office.

Explanation – The word "senior-most" within the meaning of this sub-section means the person who has been continuously holding the membership of the Panchayat for the maximum period. If more than one person become senior-most within the meaning of this Explanation, in the event, the person oldest in age among them will be the senior-most.

(5) Without prejudice to the generality of the foregoing provisions, the Sabhapati of the Panchayat shall,

(a) preside over and regulate the meetings of the Panchayat and Gram Sabha of which he is the Sabhapati;

(b) to exercise supervision and control over the acts done and actions taken by all officers and employees of the Panchayat;

(c) incur contingent expenditure up to such limit as may be fixed by the State Government from time to time;

(d) authorize payment and refunds pertaining to the Panchayat;

(f) to prepare all statements and reports required by or under this Act;

(g) exercise such other powers and discharge such other functions as may be conferred or imposed upon him by this Act or rules made there under.

(6) The Sabhapati may, in case of an emergency, direct the execution of any work or the doing of any act which requires the sanction of the Panchayat, and the immediate execution or doing of which is, in his opinion, necessary for the safety of the public and may direct that the expenses of executing such work or doing such act shall be paid from the funds of the Panchayat:

Provided that,

(a) he shall not act under this sub-section in contravention of any decision of the Panchayat prohibiting the execution of any particular work or the doing of any particular act;

(b) he shall report the action taken under this sub-section and the reason thereof to the Panchayat at its next meeting and obtain its approval thereof.

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(7) The Sabhapati of the Panchayat shall also have the following powers :-

(a) to ensure the attendance of the employees under the control of the Panchayat including the employees of the State Government transferred to the Panchayat in the meetings of the Panchayat;

(b) to report against if necessary, any employee or officer under the control of the Panchayat and State Government Officers in the Gazetted rank who are transferred to the service of the Panchayat, when disciplinary proceedings are to be taken against them for dereliction of duty or insubordination or for violation of rules or standing orders to the Prescribed Authority.

(c) to refer immediately to the State Government any resolution passed by the Panchayat, which, in his opinion has not been passed in accordance with law or is in excess of power conferred by this Act, or any other law or if carried out, is likely to endanger human life, health or public safety".

Amendment of section 24

9. In the Principal Act, in section 24 :-

(1) clauses(a) and (b) shall be omitted;

(2) clause (c) shall be re-lettered as clause (a).

Insertion of new section 27 A

10. In the Principal Act, after section 27, the following new section 27A shall be inserted, namely :-

"27 A. The manner of removal of Sabhapati and Up-Sabhapati".

(1) Every Sabhapati or Up-Sabhapati of Gram Panchayat shall forthwith be deemed to have vacated his office if he is removed through a secret ballot by a sample majority of the total number of the members constituting the Gram Panchayat in accordance with the procedure, as may be prescribed:

Provide that no such process of removal shall be initiated unless a notice is signed by not less than one-third of the total number of the members of the Gram Panchayat in accordance with the procedure as may be prescribed.

(2) If such Sabhapati or Up-Sabhapati, as case may be, desires to challenge the validity of the act of removing him under the foregoing sub-section, he shall within 7 (seven) days from the date on which he is deemed to have vacated the office, refer the dispute to the Collector who shall decide within 30 (thirty) days from the date of receipt of such reference and his decision shall be final.

(3) If a motion for removal under sub-section (1) of this section is not carried by the majority of the total number of the Gram Panchayat or the meeting cannot be held for want of quorum, no notice of any subsequent motion of removal of the same office bearer shall be taken into cognizance within a period of 1 (one) year from the date appointed for such meeting.

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(4) Notwithstanding anything contained in sub-section (1) of this section, no meeting for removal of Sabhapati or Up-Sabhapati under this section shall be convened within a period of 2 (two) years from the date of election of the Sabhapati or the Up-Sabhapati at the first meeting following reconstitution of the Gram Panchayat for filling casual vacancy in the said office".

Amendment of section 29

11. In the Principal Act, in section 29:-

(i) after clause (d), the following clause shall be inserted namely:-

"(e) any member of Gram Panchayat being a member of any political party, if ceases to be the member of that political party, shall cease to be the member of Gram Panchayat from the same day he ceases to be the member of that political party".

(ii) sub-section "(4)" shall be omitted;

Amendment of section 31.

12. In the Principal Act, for section 31 and the entries relating thereto, the following shall be substituted, namely:-

"(1) There shall be a Sachiva for a Gram Panchayat appointed by the State Government on such terms and conditions as may be prescribed.

(2) The Sachiva shall have authority to supervise all records of every Gram Panchayat falling under the jurisdiction of the Gram Panchayat.

(3) The Sachiva shall be in charge of the Gram Panchayat and shall discharge such duties and perform such functions as may be prescribed".

Omission of section 32 & 33

13. In the Principal Act, section 32 and 33 shall be omitted.

Amendment of section 34

14. In the PrincipalAct, in section 34 :-

(1) after clause (u), the following clause will be inserted:- "(v) Nobody will be permitted to make any construction / building on his land within the territorial limit of the Gram Panchayat unless the proposed plan of such construction/ building is sanctioned by the Panchayat Authority:

Provided that if such proposed construction is near a forest area, the Panchayat Authority, before approving such sanction, shall be satisfied that a certificate has been given by the Competent Authority under the Sikkim Forest Water Courses, Road Reserved, Preservation and Protection Act, 1988 certifying that the proposed construction does not fall within the Forest Area.

(2) the existing clause (v) shall be re-lettered as clause (w)

Amendment of section 35

15. In the Principal Act, in section 35, after the sub-section (3), the following sub-section shall be inserted, namely:-

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